



1 Plaintiff's CHRISTINE DOUGHERTY filed her Motion to Enlarge Time So That  
2 Motion for Summary Adjudication May Be Considered as Timely on May 5, 2008,  
3 pursuant to Civil Local Rule 6-3. Defendant AMCO INSURANCE COMPANY filed its  
4 opposition on May \_\_, 2008. After reviewing the papers submitted in support of and in  
5 opposition to the motion, the Court finds as follows:

6 Plaintiff's motion is GRANTED in its entirety.

7 The Court's prior Order set March 24, 2008 as the deadline for the parties to  
8 file motions for summary judgment. (Document No. 44.) Defendant filed its Motion for  
9 Summary Judgment, or in the Alternative, Partial Summary Judgment electronically on  
10 March 19, 2008. (Document Nos. 45-51.) Plaintiff filed a Motion for Summary  
11 Adjudication on April 29, 2008. (Document Nos. 72-76.)

12 The Court FINDS that because 1) the deadline set for the parties to file motions  
13 for summary judgment was directed primarily at Defendant's Motion for Summary  
14 Judgment, and 2) Plaintiff's Motion for Summary Adjudication relies on substantially  
15 the same points and authorities as Plaintiff's Opposition to Defendant's Motion for  
16 Summary Judgment, Defendant is not prejudiced by the Court accepting Plaintiff's  
17 Motion for Summary Adjudication as timely filed.

18 The deadline for the parties to file motions for summary judgment is, for the  
19 reasons stated above, retroactively extended to April 30, 2008. Plaintiff's Motion for  
20 Summary Adjudication filed on April 29, 2008, is, therefore, accepted by the Court as  
21 timely.

22 IT IS SO ORDERED.

23 DATED: \_\_\_\_\_

24 \_\_\_\_\_  
25 HON. MARILYN HALL PATEL  
26 Judge, United States District Court  
27 Northern District of California  
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